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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,334	09/19/2001	Hiroshi Kawai	011109	9587

23850                      7590                      08/27/2003

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EXAMINER

DEXTER, CLARK F

ART UNIT	PAPER NUMBER
3724	

3724


DATE MAILED: 08/27/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No. <b>09/955,334</b>	Applicant(s) <b>Kawai</b>	
Examiner <b>Clark F. Dexter</b>	Art Unit <b>3724</b>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1)  Responsive to communication(s) filed on Jun 4, 2003
- 2a)  This action is FINAL.                      2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

- 4)  Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 1-7 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some\* c)  None of:
1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a)  The translation of the foreign language provisional application has been received.
- 15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1)  Notice of References Cited (PTO-892)                      4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5)  Notice of Informal Patent Application (PTO-152)
- 3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_                      6)  Other:

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### DETAILED ACTION

1. The amendments filed February 20, 2003 and June 4, 2003 have been entered. It is noted that in view of the amendment practice under 37 CFR 1.121 which became effective for all amendments on March 1, 2001, and due to the limited amount of examining time per application, if the amendment contains changes to existing language that requires a marked-up version showing those changes, the Examiner is relying upon the marked-up version(s) for examination of the application. It is applicant's responsibility to ensure that the clean version(s) is (are) the same as the marked-up version(s). It is further noted that the clean version(s) is (are) considered to be the Official version(s).

#### *Claim Rejections - 35 USC § 112*

2. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, lines 5-6, the recitation is vague as to what is being set forth, and it seems that --for-- or --and-- should be inserted before "driving the punch tools" or the like; in line 8, "the punch processing" lacks antecedent basis and further is vague and indefinite as to what is being set forth, and it seems that it should read --a punching process-- or the like.

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In claim 2, lines 2-3 are vague and indefinite as to what is being set forth and appear to be inaccurate; specifically, it is not clear as to what the recitation "inside said lower turret" refers and it appears to be referring to the chute and thus appears to be inaccurate, and further it is not clear as to what is intended by the recitation "supports said lower turret", and it seems that the claim should simply read --wherein a chute is connected to the work sheet outlet of said lower turret-- or the like.

In claim 4, line 6, "a plurality of punch tools" is vague and indefinite as to what is being set forth, particularly in view of the recitation of "a plurality of punch tools" in line 3 and in view of the fact that the plurality of punch tools are supported by the upper die, not the lower die, and it seems that "a plurality of punch tools" should be changed to --the plurality of die tools-- or the like; in line 7, the recitation is vague as to what is being set forth, and it seems that --for-- or --and-- should be inserted before "driving the punch tools" or the like; in line 10, "the punch processing" lacks antecedent basis and further is vague and indefinite as to what is being set forth, and it seems that it should read --a punching process-- or the like.

In claim 5, lines 1-2 are vague and indefinite as to what is being set forth at least for the reasons described above for claim 2.

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*Prior Art*

3. Further consideration of the claimed invention with respect to the prior art will be given upon clarification of the claimed invention.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark Dexter whose telephone number is (703) 308-1404. The examiner's typical work schedule is Monday, Tuesday, Thursday and Friday, and he can be reached during normal business hours on these days.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Allan Shoap, can be reached at (703)308-1082.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-1148. The fax numbers Technology Center 3700 are: after-final responses - (703)872-9303; other formal/official papers - (703)872-9302. The fax number for informal/draft papers - (703)305-9835.



**Clark F. Dexter**  
**Primary Examiner**  
**Art Unit 3724**

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August 25, 2003